

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

_____)	
PABLO CRUZ,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 05-10133-NMG
)	
LUIS SPENCER,)	
)	
Respondent.)	
_____)	

**RESPONDENT'S MOTION FOR LEAVE TO DISPENSE WITH
THE CONFERENCE REQUIREMENT OF LOCAL RULE 7.1**

Respondent Luis Spencer moves that he be permitted to file the accompanying Motion for Extension of Time and any future motions without counsel first conferring with petitioner, as Local Rule 7.1(A)(2) requires. In support thereof, respondent states that petitioner is currently incarcerated at the Massachusetts Correctional Institute at Norfolk, in the care of the Massachusetts Department of Corrections, and is not represented by counsel, rendering pre-filing conference impracticable.

For this reason, respondent requests that he be granted leave to dispense with the pre-filing conference required by L.R. 7.1(A)(2), and that he be permitted to file the accompanying Motion for Extension of Time and any future motions in this action without first conferring with petitioner.

Respectfully submitted,

Luis Spencer,

By his attorney,

THOMAS F. REILLY
ATTORNEY GENERAL

/s/ Maura D. McLaughlin
Maura D. McLaughlin (BBO # 634923)
Assistant Attorney General
Criminal Bureau, Appellate Division
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Dated: February 15, 2005

Certificate of Service

I hereby certify that on February 15, 2005, I caused a true and accurate copy of the above document to be served via first class mail, postage prepaid, upon Pablo Cruz, petitioner *pro se*, MCI Norfolk, 2 Clark Street, Norfolk, Massachusetts 02056.

/s/ Maura D. McLaughlin
Maura D. McLaughlin